

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA

CR CASE NO. 3:21-CR-00271-01

VERSUS

JUDGE TERRY A. DOUGHTY

MICHAEL ANSEZELL TOLLIVER (01)

MAG. JUDGE KAYLA D. MCCLUSKY

SCHEDULING ORDER

A Status Conference was held before Magistrate Judge McClusky on March 4, 2022. Present for the Government were Seth Reeg and Justin Woodard, and present for Defendant was Joseph Woodley.

A **telephone pretrial conference** will be held before the undersigned on **November 18, 2022**, at **10:00 a.m.** **TRIAL** is **SET** before Judge Doughty during the term commencing **December 19, 2022**, 9:00 a.m., Monroe, 2nd floor Courtroom. The court will set aside 1 week for trial.

The **plea deadline** is **November 18, 2022**. If a written plea agreement signed by defendant and all counsel is not filed with the court (and a copy emailed to the trial judge's chambers) by the close of business on that date, no guilty plea will thereafter be accepted by the court except straight up to all counts.

Any request for subpoenas under Rule 17(b), by a defendant unable to pay, must be filed not less than 2 weeks before trial. Any motions for writ of habeas corpus ad testificandum, to produce witnesses who are currently incarcerated, must be filed at least 3 weeks before trial and must describe specifically why the testimony is necessary for an

adequate defense. Late requests or motions may result in imposition of costs upon counsel personally.

Discovery from the Government is complete, and defense counsel is satisfied at this time. Defendant may reurge any request for Jencks Act material at the pretrial conference. Defendant's counsel is in the process of obtaining more information and documentation from Defendant and will provide discovery as soon as possible.

Exhibits For Court Proceedings

Counsel for each party will be responsible for presenting their own evidence. All exhibits and depositions will be displayed to the jury on the electronic monitors in the courtroom. One paper copy of the exhibits admitted into evidence shall be provided for use during jury deliberations. That copy will be returned at the end of the trial. Additionally, and in accordance with the Notice Regarding Exhibits For Court Proceedings, an electronic copy of the exhibits Must also be submitted to the Court.

If the parties retain experts, they must provide notice and a summary of their opinions to opposing counsel no later than **July 9, 2022**.

The parties will be allowed until **August 19, 2022**, to file any additional motions. Paper courtesy copies of all motions and briefs shall be submitted to the undersigned promptly after filing. If any such motions are deemed to require an evidentiary hearing, counsel should so advise the court by letter when the motion is filed. Oppositions to the motion are due 14 days after receipt. If needed, an Evidentiary Hearing will be set before the undersigned on a date and time to be determined.

Pretrial Conference

The following topics will be discussed at the pre-trial conference:

1. Estimated time required by each side to put on its case;
2. Marking of documents for identification;
3. Waivers of foundation of documents where possible;
4. Exchange of curriculum vitae of expert witnesses and/or stipulation of expert qualifications;
5. Pending discovery problems;
6. Consideration of making Jencks Act material available to the defendant prior to the testimony of all witnesses;
7. Anticipated jury instruction/voir dire problems; and
8. Any other relevant matter necessary for the smooth progress of the trial.

In particular, counsel should be prepared to notify the court if any pretrial hearings are anticipated.

Pretrial Submissions

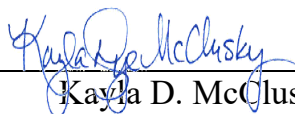
No later than ten (10) days prior to trial, counsel will file a list of ALL foreseeable issues that will arise on admissibility of evidence, burden of proof, whether any unusual or non-pattern jury charges are needed, and any other issues that can or must be dealt with in advance of trial. The purpose to be served is to eliminate, to the extent possible, delays during the course of the trial, and to permit advance preparation and research of issues expected to be raised at trial.

Also, no later than ten (10) days before trial, all counsel are requested to furnish this court with suggested voir dire questions (if any) in addition to those regularly asked by the court. By that same date, counsel are required to file requested jury instructions. Fifth Circuit Pattern Jury Instructions requested by the parties should be referenced only by their numbers. Each non-pattern instruction will be accompanied by a brief stating the statutory and/or jurisprudential authority for the instruction. Fifth Circuit authority is preferable. A simple case citation will not be sufficient.

Other Requirements

A courtesy copy of all material required by this Minute Entry should be submitted in electronic format directly to chambers in order to facilitate prompt attention to all matters. The electronic copy should be e-mailed to doughty_motions@lawd.uscourts.gov. All electronic submissions must be in Word.

THUS DONE in Chambers on this 4th day of March, 2022.



Kayla D. McClusky
United States Magistrate Judge

[00:30]